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Scene at the Eichmann Trial in 1961

THE EICHMANN TRIAL

or

THE NEW MASTER SINGERS OF NUREMBERG

Paul Rassinier

On May 28th, 1960, the name of Adolf Eichmann, unknown until then except to a few specialists in the history of National Socialism and German concentration camps, suddenly became notorious in the world press. On that date Ben Gurion, President of the Council of State, ascended the plinth of the Knesset (Israeli Parliament) and announced to the deputies that "the person responsible for the death of six million Jews, and their executioner" had been captured by commandos of the Israeli secret service, and taken the preceding May 11th from Argentina; that he was in prison in Tel Aviv; and that he would be judged by an Israeli tribunal.

And from that date on, the "six million Jews" – zealous journalists even spoke of 9 million – "men, women, old folk and children, exterminated in the gas chambers at Auschwitz" and other places, were once again served up every morning for breakfast the world over.

On the 11th of April, 1961, after a preliminary investigation that lasted no less than eleven months, the trial in question began at Jerusalem before an audience of journalists from every corner of the earth.

And on the 11th of December, the Tribunal rendered its judgement – the death penalty.

On Eichmann's personality, the conditions under which his trial developed, the arguments brought forward, the political context into which the facts invoked against him must be placed and the interpretations given them, the jurists, it seems, had much more to say than the historians, and for the following reasons.

1. Who is Adolf Eichmann?

Adolf Eichmann was born in March 19th, 1906, at Solingen (and not in Palestine in the German colony of Saron, as Mme. Nina Gourfinkel succeeded in making everyone believe). She wrote the preface to the book of Joël Brand, *Un million de Juifs contre dix mille camions* ('One million Jews for 10 thousand trucks') which holds an honourable position among the many historians born of Resistancism.

His father was Prokurist (legal representative) for the tram company of the city. In 1913 the family moved to Linz where, after having held the same job as at Solingen for a while, his father retired and opened up a business in electric appliances. But in 1913, the Eichmann family was made up of the father, the mother and only Adolf; of the five children it included (one of which was from the father's

earlier marriage), the eldest was German and the other four Austrian. In the 1930s, under Chancellor Dolfuss, this had a certain importance because the eldest, considered a foreigner in Austria, could not find employment. Through his family's contact with Kaltenbrunner, then leader of Austrian National Socialism at Linz, he became a salaried member of the Party at Passau, in Germany, because such activities were specifically forbidden to him in Austria. Thus began the career of Adolf Eichmann.

Little by little, he climbed the ladder in the S.S., up to Obersturmbannführer (Lieutenant-Colonel) of the Reichssicherheitshauptamt (Central Office of the Reich Security Service) in which, from its inauguration in 1936, he had been attached to Office (or service) IV B 4 (Jewish affairs).

In order to assess his responsibility in the Jewish drama we have to see him in his rank in that service, and we must mention that the Reichssicherheitshauptamt was composed of seven sections, all of an executive character: in the fourth of these offices, in section B (there were two sections – A and B), Eichmann was head of the fourth sub-office. Over him in the hierarchy, there was a colonel Müller, head of all the sub-offices grouped under IV B, about whom nobody has ever talked (he later became a very high police functionary in East Germany).

Above Müller there was another colonel – Roth – head of the two sections A and B. Above Roth was Heydrich, head of all seven offices. Finally came the supreme head, Heinrich Himmler. When Heydrich was killed by the Czech Resistance at the beginning of June 1942, Kaltenbrunner took his place and, until the end of the war, that was the only important change that took place in the directorship of the R.S.H.A.

In the Reichssicherheitshauptamt, Lieutenant-Colonel Adolf Eichmann was therefore sixth in rank, and on the *functionary level only* of decisions taken at a much higher level than Himmler himself, since it was only in 1943 that Himmler was raised to the rank of minister.

In the machinery of Nazi power there were thousands and thousands of posts with this type of responsibility.

From March 1942 on, the date when the massive deportation of the Jews began, Office IV B 4, of which Eichmann was the head, got orders to devote itself to their transportation to concentration camps. In a similar way, the office of which Pohl was the head had the order to devote itself to the economic organisation of those camps, and another office was ordered to make investigations among the Jews and re-group them. But since all the steps to be taken concerning the Jews were decided at government level, Eichmann's only part was to carry out the orders and only to the extent that the order concerned him.

It was only in relation to these considerations that Eichmann's responsibility and guilt could be defined and, in all traditional societies, it is the personal drama of everyone to whom, under threat of severe condemnation, right of conscientious objection is denied. On this point the Jerusalem trial showed that from 1941 on, Eichmann experienced that drama in the same way that Professor Balachowsky of the Pasteur Institute at Paris did at Buchenwald – forced by Dr. Dingschüller to experiment on the deportees with vaccines, knowing perfectly well, as he has himself testified, that it amounted to assassination. I said in the same way because, if there is a difference, it is only one of motives. While the Lieutenant-Colonel, whose education was obviously rudimentary, explained his obedience to orders received in terms of obedience to State policy and love of country, the Professor, whose education could not be doubted, gave as his reason that he did not want "to disappear." That this difference materialised in the final analysis in the rope for one and honours for the other is the essence of the problem. If, as traditional ethics have it, it is true that in all this it was the motive that counted, one could then say that in this case the roles were badly allotted by justice.

Eichmann on trial. In the foreground, defence counsel, Robert Servatius

Adolf Eichmann

Prosecution lawyer Gideon Hausner

2. The Trial itself

With regard to moral as well as international law, Adolf Eichmann found himself as a defendant before an Israeli tribunal under conditions which were as wrong to one as to the other. No one has more clearly established that than M. Raymond de Geouffre de la Pradelle in an article published in *Le Figaro* on June 9th, 1960.

It is best to let him speak for himself; if my competence in the matter could easily be questioned, it would be very difficult to dispute his.

This is what M. Raymond de Geouffre de la Pradelle says, all other considerations aside, on the question of guilt:

> The proceedings carried on right after the end of the war by the Allies were based on the London agreement of August 8th, 1945, and the Moscow declaration of October 30th, 1943, to which the London agreement expressly refers. The principle laid down is that of the return of war criminals to the country in which their crimes were committed. In addition to that, the London statute of August 8th, 1945, created an international military tribunal to try criminals whose crimes were without definite geographical localisation...
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> This London statute was promulgated by the Allies after they had received, May 8th, 1945, from the head of the Reich government, Grand Admiral Doenitz, through the unconditional surrender, the mandate of German sovereignty...
>
> There is no international text given that gives the State of Israel the right to judge a foreign national to whom crimes against humanity are imputed, or war crimes, when these crimes were committed in a foreign country. Furthermore, at the time when these crimes were committed, there could be no question of victims of Israelite nationality because the State of Israel did not exist.
>
> The State of Israel is sovereign. Within the limits of its territory Israel may, if it wishes, by special law, give itself whatever jurisdictional right it chooses. But this right violates the general principles of law, and of the international rule of competence established for crimes having an essentially international character, since having been carried out in Germany at a time when German law considered them licit, they are crimes only with regard to international law.

And M. Raymond Geouffre de la Pradelle concludes that the only lawful procedure would have been a demand on Argentina for extradition by Germany, who alone was qualified to make such a demand.

It could not be better put. But Argentina had given Eichmann the right of asylum, probably the reason why, as any other country in similar circumstances would act, Germany did not demand his

extradition. Is France today asking for the extradition from Spain of many French citizens considered by her to be criminals and to whom Spain has granted asylum? Even Napoleon III did not ask for the extradition of Victor Hugo from Britain.

Still, France did not go on to kidnapping in France or in Argentina. The only example historically comparable with Eichmann's kidnapping, is that of the Duke d'Enghien by Napoleon I, and neither Law nor History has forgiven him for it.

The reader will excuse me if, instead of invoking moral principles which are always debatable, I have preferred to cite the texts. Although they are colder, they lend the Eichmann trial the character of a Moscow trial; and if grounds for guilt could be stated against Eichmann, they have disappeared in the face of the unpardonable circumstances of his kidnapping and, in the eyes of posterity, the person who was condemned is more likely to be considered a victim than an executioner.

Posterity is all the more likely to come to this conclusion because Eichmann's defence was not able to cite in court all the witnesses for the defence that it would have liked to; for example, all the Germans living at liberty and in harmony with international law and the laws of their country, were threatened with arrest for suspicion of guilt of crimes leading to a death sentence, if they so much as set foot on the soil of Israel. Under such circumstances, Eichmann was not judged, he was assassinated.

3. The Accusation and its Political Meaning

The prosecution was considerably weakened by its central motif: the six million European Jews mass-exterminated in gas chambers. It can never be repeated often enough that this figure was given only by the press and the witnesses; as we know, the indictment drawn up by M. Gideon Haussner confined itself to saying "millions," and that is the first step of admission in this obvious imposture.

After the war, in an atmosphere of mental confusion and general disorder, it was easy to have that argument accepted. Today many more documents have been made public which were not known during the Nuremberg trial, and these documents tend to prove that although Jewish nationals were odiously attacked and persecuted by the Hitlerian regime, it is not possible that there were 6 million victims.

Once it became possible to even discuss the figure and it was agreed by everyone in the world that the figure was considerably exaggerated, then it was possible to talk about how it was done. For example, we know today that there were no gas chambers at Buchenwald, or at Bergen-Belsen, or Dachau, or Mauthausen. Caught in the act of lying concerning gas chambers in these camps, witnesses who had pretended to have seen them functioning were naturally not believed when they talked about the gas chambers at Auschwitz, which is perfectly natural. Their credibility declined even further when they contradicted each other; if one could be believed, the other could not. Faced with these contradictions, what is public opinion to do except to dismiss both parties and to charge them with having fabricated the story?

If, on the other hand, from the number of prosecution witnesses still alive, one turns out occasionally to be of no more worth than those whom he is accusing – one of their accomplices or a former member of the *Intelligence Service* etc. – public opinion sees only added grounds for its disapproval.

Such was the case of von dem Bach-Zalewski, Obergruppenführer General of the Waffen S.S., and head of one of the famous *Einsatzgruppen* (something like commandos) in pursuit of partisans and Jews on the Eastern front. Thanks to him we learned about the activity of these marginal units, and of a speech given "at the beginning of 1941" at Weselberg (without any more detail), in which the Reichsführer S.S. was supposed to have said that "the aim of the campaign in the East is to reduce the Slav population by 30,000,000." But no one else has ever heard of this speech and no written text of it has ever been produced (Nuremberg hearing of January 1st, 1946, Volume IV, p. 500). On January 16th, 1961, this von dem Bach-Zalewski was arrested for "a political assassination committed in cold blood" on July 2nd, 1934, and for acts of cruelty in which he was involved "during the crushing of the Warsaw uprising of 1944 and during the struggle against partisans in the Russian campaign, as well as the execution of Polish hostages at Sosnovitz-Dendzin." (Newspapers, January 17th, 1961 dispatch of the A.F.P.) And on February 11th of the same year he was condemned to 4½ years in prison, which shows that since Nuremberg justice has become singularly indulgent.

And that was the case again when, on January 25th, 1961, the British magazine *Weekend* came out with a photograph on its cover of Hoettl, with the following caption:

The SPY STORY that's stranger than fiction

He was a friend of Nazi leaders

His real boss was a British secret service man

That was how it was learned that the principal witness for the establishment of six million as the number of Jews exterminated by Nazism was an agent of the *Intelligence Service* (!!).

It is well to make it clear that this figure of 6 million depends on two testimonies only: that of Hoettl and that of Wizliceny.

This is the statement of the first:

"In August 1944," said Obersturmbannführer Dr. Wilhelm Hoettl, head of the bureau connected with section IV of the Reich Central Security Office,

> S.S. Obersturmbannführer Adolf Eichmann, whom I had known since 1938, had a conversation with me in my apartment in Budapest... He knew that he was considered a war criminal by the United Nations because he had the lives of thousands of Jews on his conscience. I asked him how many, and he answered that although the number was a great secret he would tell me because, from the information he had, he had arrived at this conclusion: in the various extermination camps about 4 million Jews had been gassed and 2 million killed in another way.

(Taken from the Report on the Nuremberg Tribunal, Volume XXXIII, p. 85-87.) And the second:

> He [Eichmann] said that he would jump into his grave laughing because the thought of having 5 million persons on his conscience would be a source of extraordinary satisfaction to him.

(op. cit.) Of these two testimonies, M. Poliakov himself says, "One could certainly raise the objection that a figure so imperfectly supported must be considered suspect." (*Revue d'Histoire de la seconde guerre mondiale*, October 1956).

Nobody made him say so! We also know that one of these two witnesses was an *Intelligence Service* agent. And the other, who had seen Himmler's signature on an extermination order, put himself at the disposition of the law in order to trap Eichmann and seek mercy for himself, but was hanged, despite his cooperation, for having been Eichmann's accomplice.

Concerning the political context in which the Trial should be placed, it is well to note that M. Raymond de Geouffre de la Pradelle was not the only one to protest against the kidnapping of Eichmann and to deny competence to the judges of Jerusalem. Even in Israeli circles there were eddies of feeling before the opening of the trial, and there still are, after the sentencing of the accused.

In *Le Monde* of June 21st, 1960, one could, for example, find the attitude of the American Council for Judaism, which represents the point of view of the majority of American Israelites,[1] namely:

> The American Council for Judaism last Monday sent a letter to Mr. Christian Herter denying the right of the Israeli government to speak in the name of all Jews. "The Council declares that Judaism is a matter of religion and not of nationality, and asks Mr. Herter to oppose the pretension of the Israeli government to judge Eichmann in the name of Judaism."

To this, Mr. Nahum Goldmann, President of the World Congress of Jews, very embarrassed, replied:

> As the Israeli authorities have admitted, this action is obviously an infringement of Argentina laws. It could furthermore establish a dangerous precedent. But the case is so exceptional that the illegal aspect of the action should not be considered the only or even the principal element of the matter... The State of Israel cannot claim to represent world Judaism (Jewry), but since Israel does exist, and since it has succeeded in capturing Eichmann, I am in agreement that he be judged in the Hebrew State. If Mr. Ben Gurion

> wishes to turn the Eichmann trial into another Nuremberg it would be to his advantage to support the Israeli president with an ad hoc tribunal made up of representatives of all the countries who suffered under the yoke of the ex-S.S. colonel.

But even this point of view was not accepted by the Israeli government.

In any case, it was not a legal problem that the State of Israel was claiming to solve by this trial, but a political problem. Indeed, we know that the indemnity which Germany has been constrained to pay Israel, in the name of damages which this state did not suffer, was to come to an end on January 1st, 1962. Since the annual payment amounts to 200 million marks, one of the State's most important sources of revenue was in danger of drying up. It was all the more serious because the Israeli budget cannot do without assistance of this proportion. Israel has survived for twelve years, thanks only to the German reparations, American aid, French and British kindnesses and subsidies from Diaspora Jewry.

Naturally, the Israeli government wanted to get a pure and simple renewal of payments for an indefinite period. No less naturally, Germany thought they had had quite enough. So it was not Eichmann himself committed for trial but Germany, threatened with having all the leading political figures of her government charged before the universal conscience during the course of this trial. All the ministers and the most influential members of Chancellor Adenauer's political circle were liable to be accused of connivance with Nazism through this trial. And so it was really a question of blackmail: either Germany would accept the proposed deal implicitly, or no German government was possible. Such calculations can, at least, be attributed to the leaders of the State of Israel. And, by a singular coincidence, it harmonised admirably with the concerns of the Kremlin.

I have found this contention in many publications which cannot be suspected of being sympathetic to Germany or hostile to the Jews. In particular, in the *Canard Enchainé* of April 2nd, 1961, just after the opening of the Eichmann Trial, we read:

"The Eichmann Trial," said the *Canard Enchainé*,

> is going to appear as a trial of Hitlerian Germany on the one hand and of Konrad's Germany on the other. Certain people, such as some Israelis not to be named, say that they have no hand in it, and that as far as they are concerned they are interested only in a trial of National Socialism, do not care a damn for Eichmann and are going to multiply the proclamations against Adenauer because employed in his government are quite a number of ex-Nazis, such as his favourite, the Secretary of State Globke, dedicated annotator of the Nuremberg racial laws.
>
> During the hearings we can expect to hear the names of hundreds and hundreds of persons presently employed in Federal Germany. Such heaps of judges, officers, deputies, high officials, professors etc., are going to get so splattered that it will be a pleasure to watch.
>
> All to the good of Bonn propaganda. Some are laughing to split their sides saying that Nikita will at once certainly, and dryly, bring up the problem of Berlin, right during the trial, just at the moment when world opinion will be very aroused against Germany.

Two weeks earlier it had already stated:

> A few days after his capture [Eichmann], Ben Gurion, who was giving speeches in the United States, heard that a certain Konrad turned up in Washington again for a talk with Ike. B. G.... took the first available taxi and hurried to where Konrad was staying.
>
> He went in with a certain smile, he came out with a grin. If you looked closely, seen in a fold of his tie (although he never wears one) was something like a cheque for 500 million marks. Germany was starting to pay again! At last!
>
> The Israelis are not in the least disconcerted when this detail is pointed out to them – after all, the expenses of the trial have to be paid for, they tell you, with a big laugh.

I do not know whether Adenauer gave out 500 million marks or not; the two suppositions are equally plausible. But if he did give 500 million marks, it was hardly more than two annual payments. In consideration for that sum, assurances must have been given to the Chancellor that certain things would not be said. And in fact they were not. The German press which reflects government opinion (*Die Welt*, *Frankfurter Allgemeine*, *Süddeutsche Zeitung*, etc.) was unanimous in underlining "the

relief felt retrospectively at the way the trial was developing." Before the first hearing, as *Le Monde* at Paris, December 16th, 1961, explained, Bonn expected to be in the limelight for weeks, even months, with a resultant stirring up in the world of anti-German resentment. Nothing like that happened. The Eichmann Trial did not turn into a trial of the Federal Republic.

The subsidies were to continue until April 1st, 1964. Between now and that date the Israelis will try to find a way to get a renewal. There are still quite a number of Eichmanns around. By that I mean persons who could be accused of crimes against humanity and against the Jewish race. Is Israel already nursing a plan for the kidnapping of the next one, for another blackmail attempt on the same terms? One hears a lot about S.S. Obersturmbannführer Dr. Mengele, doctor at Auschwitz, accused of the most unimaginable experiments on Jewish prisoners. In any case, it is a most profitable expedient and one that can be taken up again and again, almost indefinitely, and which could assure the financial stability of the State of Israel for a few centuries. When, at so distant a date in the future that it cannot be predicted, the last of the Nazis has been hanged in Israel, nothing will be left except to write the music for these *New Master Singers of Nuremberg*, since under the aegis of the Nuremberg trials the libretto has already been written for the new *Ballad of the Hanged*.

Supreme Court Justice Moshe Landau

Judge Benjamin Halevy

Judge Yitzhak Raveh

4. From Scandal to Scandal

The way in which Eichmann was kidnapped was a scandal with regard to the law of nations. We have seen that, in addition to the greatest international jurists, such eminent Jewish personages as Nahum Goldmann, for example, and even organisations like the American Council for Judaism were disturbed. In this line, there is more to come.

In Argentina Eichmann had made the acquaintance of a former S.S. man, Dutch by birth, Sassen by name. He had been a war correspondent attached to S.S. operational units during the entire conflict and been sentenced to death in his own country. He was then living in Buenos Aires on an import-export business, a little bit of journalism and other writings. For a very long time this Sassen did not know just who this man was who called himself a former S.S. man like himself; who frequented as assiduously as he did Argentine circles of exiled Germans; who said his name was Ricardo Klement, which everyone in those circles knew was an assumed name. But he had noticed that of all the exiled Germans with whom he had met, this Ricardo Klement was the best informed on what Jewish writings called the extermination of the European Jews, and he was not long in suspecting that here was surely a person who had played an important role in the affair. From then on he cultivated his friendship. At the time he had not yet set up the import-export business which is today his main source of income. Promoting himself in his capacity as a former S.S. war correspondent in the theatre of operations, he had succeeded in making a connection with *Life* magazine through a relation. From time to time he was given a few lines of copy in *Life*, particularly on Argentine political matters, because he had been clever enough to make fairly close connections with Peron's entourage.

"Some day," Ricardo Klement often said, "I will write my memoirs."

But he had to earn a living and he had not yet got around to writing his memoirs.

“What a shame,” Sassen said, “because you seem to be very well informed.”

And thus he flattered him.

The talks took place in a little book store in Buenos Aires owned by a former German schoolmaster in Argentina. This man was not a former S.S. man nor a refugee. But he published a German paper with nationalist leanings called *der Weg*, which all the German exiles read with great interest because, in their eyes, it was most objective and stated all the conclusions about the war at which they themselves had arrived. The talks usually ended in the nearest cafe with a drink for which Ricardo Klement had quite an inclination. To get at the secret of his personality, from which he expected to derive a journalistic benefit, Sassen exploited this liking as best he could. And one evening, having drunk a little more than he was accustomed to, as Sassen was going into raptures about the extraordinary exactness of his information, Ricardo Klement let drop the words, “Of course, I am Eichmann himself.”

It was a windfall for Sassen. From then on he kept at him about writing his memoirs, but the other never had the time. Then he made the great play:

“I am going to help you. If you want to, instead of dragging these talks on forever in a public place, which will be lost for everyone, we will go somewhere else to drink and we will talk with a microphone. Then after each conversation I will write out what we have said. I will show it to you and you can make any corrections you think advisable. After that I will make a good copy.”

“Yes,” answered Eichmann, “but on one condition *sine qua non*. That is that everything which I have gone over and corrected shall not be published until after my death, and the royalties, less the sum for your trouble, are to go to my wife and children.”

For greater security a contract on these lines was signed between the two men. Eichmann entrusted it to his best friend – that very bookshop keeper – whom he made his testamentary executor and the true owner of the copyright. He charged him with dividing up the royalties in conformity with the stipulations of the contract.

This took place at the end of 1955. The conversations before the microphone lasted for about two years. Put down on paper, they amount to almost two thousand German size typewritten sheets. Before editing, Sassen gave them to Eichmann who covered them with numerous corrections. He wrote over the version that Sassen gave him as the definitive one and even thought that, having gone over it, it was full of imperfections. He considered that it still contained errors, that he had to verify everything and that he needed lots of time because he had to think over events which he suddenly saw were much more indistinct in his memory than he had thought.

“Besides,” he thought aloud, “from now until my death we have lots of time...”

So Sassen’s work was put aside with Eichmann promising to get on with the verification and to incorporate the necessary corrections as his memory on the past became more exact.

Eichmann was mistaken. He had hardly taken this decision when he was arrested. Meanwhile, Sassen had twice gone to *Life* to offer sensational revelations on Eichmann’s activities. Each time he was told that nothing sensational could be revealed on the subject for the simple reason that it was impossible to centre the attention of the public on a person who had been merely talked about during the Nuremberg Trial but about whom nothing had since been heard. He was surely, therefore, forgotten ...

A great many stories were told about the way in which Eichmann had been found and arrested. *The Long Hunt* by Mosche Pearlmann gives the credit to Simon Wiesenthal, that incomparable gift to the Israeli Secret Service, with his talent for nosing things out. In my opinion things were really much simpler, but I will refrain from advancing any theory.

The fact remains that the incident which allowed *Life* to speak of Eichmann, with every chance of grabbing public attention, had happened; that it was able to print in 15,000 words what it described to its readers as a résumé of the essentials of the Sassen-Eichmann talks, the text of which was given to *Life* by Sassen; and that through Sassen a contract had been drawn up with the beneficiaries and that Sassen had been paid by *Life* for this work.

For anyone who would like to inspect it, I have a photocopy of the original of these conversations, gone over and corrected by Eichmann. To be sure, Eichmann was not a historian. His knowledge of the events he refers to was very limited, his memory faulty etc., and his talks contain many errors of fact, their dates etc. But I defy anyone at all to find therein justification for most of the monstrous things to be read in *Life* (November 28th and December 5th, 1960).

How does it happen that I am at one and the same time able to give such precise information and yet be in possession of a photocopy of the document which formed the basis of the *Life* articles, which I must here add was produced for the prosecution before the tribunal in judgement on Eichmann? It is very simple. The Eichmann family, familiar with my works, thought that Dr. Servatius, defence counsel for Eichmann, might need a historian's advice and begged him to get in touch with me, just in case; and Dr. Servatius had already thought of that himself. All things considered, Dr. Servatius – on whom rested the responsibility for Eichmann's life and who had had the experience of Nuremberg thought that a juridical rather than a historical plea was called for. That was one way of looking at it. But it was, above all, a matter of conscience in which I had no right to interfere. The one thing that strikes me as certain, after the event, is that no matter what plea the defence made – juridical or historical or both – Eichmann was in any case to be condemned to death. But who would have dared to burden his conscience with such an assumption *before the event*, even if he thought it, as I did? That was my case. I could see only one advantage to a historical plea and that was the impossibility of being able to terminate the trial without a delay of, I estimated, at least fifteen good years.

In short it was just circumstantial that I had occasion to meet Sassen, against whom I was unshakeably opposed – if only because the report of his talks with Eichmann was riddled with errors. I had several talks with him, some of which were very long. Anything that concerns him in what I say is but a translation of what he told me himself.

That is how the photocopy of the original of the conversations came into my hands, and I have been able to study them at leisure. In the same way I have had in my hands the originals of the minutes of the interrogations of Eichmann during the preparations of his trial, whilst he was a prisoner. I am therefore in a position to state that he contradicted what he stated before Sassen's microphone on an infinity of points.

Example: On April 18th, 1961, a witness came forward to the bar at the Jerusalem Tribunal to declare that he had seen "the factory [meaning gas chambers] working at full tilt in July 1942" and Eichmann visibly interested and very satisfied with a report of the results. Eichmann denied this but he had no evidence to support him. It would have sufficed him to say that in July 1942, in the official version, there was no gas chamber[2] at Auschwitz since they were only ordered, as the official documents reveal, on August 8th and installed on February 20th of 1943. Perhaps Eichmann did not know this and, if once he had known, he had surely forgotten. It was probably the same with his counsel. So, the false witness was believed...

Examples of this kind are without number throughout this trial which lasted almost a year.

As for Sassen and the document which he turned over to *Life*, here is a letter written by Eichmann to his family on February 22nd, 1961, which tells what he thought about it and also about his whole experience:

> **Dear Robert!**
>
> **First of all, I appreciate it very much that you managed to get a look at the case Dr. Servatius is preparing for me. I would also like to tell you about some of the fundamental principles which need to be raised, apart from some details which I will mention at the beginning. For I know that you, as my brothers and sisters, will be interested in this, especially as already whole libraries have been occupied with my career and, who knows, will continue to be occupied.**
>
> **I begin with the current lawsuits which are being brought against me. The contents of these suits are so prodigious that even my anger would be useless. But I must on no account surrender in consideration of the numerous calumnies and defamations and give up the cause without a fight. It is obvious that 15 years of propaganda is against me, which grew like an avalanche and keeps growing and has been leading the minds here to allegations which are quite incomprehensible.**
>
> **You will hear from Dr. Servatius that more than 1,400 documents are here under consideration (I examined nearly 300 of them during the investigation, the rest was transferred to my defence counsel after the investigation). Among the approximately 300 documents alone which were submitted to me appear approximately 240 different names.**
>
> **Well, the investigation has caused the collapse of the great sensational build-up that certain groups of journalists had set up out of pure greed for profit; and I hope – naturally enough – that**

the coming trial will reduce my actual position back to the real level which I held at that time, i.e. recipient of orders; a bureaucratic occupation, not the slightest trace of killing and atrocity.

To be sure, all this has happened, one cannot deny it. But I was not in charge of such things and I kept my hands clean in this matter. This also includes the officers, non-commissioned officers and men, who were under my command at that time. Should the one or the other have overstepped their orders it was not with my authority in this respect.

Now to look at Sassen. He is either secretive or stupid. I do not know myself where I am. I am only asking myself, how can someone contrary to all arrangements commit such a breach of confidence and publish in rough the events which happened in the distant past and throw them to the international press as a kind of raw material which is undoubtedly full of mistakes and incorrectnesses that need to be put right and then say: "There you have the stuff, do with it whatever you like to do. How many dollars do I get?" Contrary to the arrangement which had been made he published the matter to the public without having given me the chance of correcting all the mistakes.

In this respect I have to praise the mode of procedure of the Israeli police; after the tape recording interrogation I had the possibility of hearing it all again and reading the transcript at the same time which had been made in the meantime and could make eventual corrections without being influenced by anyone. Although the transcripts had been made by honest police officers and there were more than 3,500 typed pages altogether – there were even so quite a large number of hearing mistakes, which partly distorted the sense in the first transcription. Well, thanks to the procedure of the Israeli police all these mistakes could be eliminated by me. Sassen has given me no chance to do the same. I have no guarantee that the person who then copied it, heard and transcribed it correctly and I have no chance to control what certain interested parties might have added to it. At that time I got part of it for the first correction – and I corrected it superficially – but as the transcription was so deficient that there would have been no time left for other work besides the correction, I gave the whole stuff back to Sassen and told him that this matter had to be discussed more thoroughly because of the amount of mistakes. Some parts of the transcriptions were never submitted to me. What is more, this transcription having been controlled by me never should have been published; due to our arrangement and written contract it should represent only the raw material which Sassen could use in order to make a book out of it which could be published. And even there I put in one more security codicil by ordering a written statement that no page of this eventual manuscript should come to be printed without my having sort of legalised and released every page by my full signature. And even after that I should have got the proofs as a last control whereby I agreed here to the fact that after the proofs had been finished no large changes in principle should be allowed.

But such procedures which Sassen has followed are unworthy of an honest journalist and I think this is typical of the fellow. How does this man dare to publish this article under the title: "Adolf Eichmann tells his own story – I conveyed them to the butcher – by Adolf Eichmann"? Sassen is lucky that I am in close confinement. It is a consolation for me to know that even a reader who is only partially attentive to the reading can draw conclusions from the title to the authenticity of the contents of the article. But unfortunately such an article will be read by dull-heads of all kinds, of whom one cannot expect objective, intelligent study.

Now I would like to ask a favour of you. You are a lawyer, I am sure you will discuss this matter with my defence; keep a close eye on Sassen and only with the consent of my defence should he be allowed to publish anything at all. For, all he is going to publish forces him to fall back upon the treasure of the tape recordings of that time and there are solid arrangements which he has to observe.

Surely, there are legal restraints and possibilities? Besides this, I leave it completely to my defence to prepare the next steps which he considers necessary as far as my cause is concerned.

Dear Robert, I do not know what will come out of this trial; in respect to my person I must tell you that I am only of secondary importance. With the help of my defence I will naturally take pains to bring out the truth about the 15 years' calumnies and imputations, up to the very last days, which have prejudiced public opinion around the world against me to a degree which is not to be outdone. Here, too, I do not think of surrender. As far as only my own ego is concerned, the danger of resignation is great in respect to my almost overstrained fatalism. But I must not leave the matter as it is; not when I think about my children and you as my brothers and sisters and, last but not least, the memory of our dead father.

Dear brothers and sisters, I wish you each and all happy Easter, I wish you health and send you my kindest regards.

Your Adolf.

I have asked lawyer Wechtenbruch to certify the correctness of this statement by signature, because I, separated by a glass wall, cannot sign it personally.

Given in a prison of the State of Israel on the 22nd February, 1961.

Spectators at the Trial

The Prosecution lawyers. Left to right, Hausner, Jacob Baror, Gabriel Bach, Jacob Robinson

5. The Last Word

If the reader has been harbouring any doubt about the political significance of the trial, as described above, and the anti-Semitism it bred on the pretext of combating it, it will suffice to say that many good people thought the same way. Over the French radio itself, the first press review of the reports of the first day of the trial gave the impression that in the minds of all the journalists there, without exception, the dominant idea was that the performance was not a matter of justice but of pure and simple vengeance, and that in any case, it was politically a mistake.

Eight days later, already sure of what to expect from the hearings, all the great newspapers of the world recalled the best legal reporters they had sent to Jerusalem, in order to despatch them to more important trials.

On April 10th, under the title “This trial is a mistake,” and over M. Alain Guinay’s signature, *France-Soir* did not hesitate to say:

> There are a certain number of people who think that this whole trial has been a mistake. That far from eradicating anti-Semitism in the world it will only fan the flames, that far from instructing Israeli youth in the tragic fate of their elders, it will keep that aggressive youth from feeling any solidarity with those six millions who for the most part died without defending themselves.
>
> They are also afraid that it will have a detrimental effect on Israeli-British, perhaps even United States-Israeli relations, by revealing, as Ben Gurion has just done, that neither London nor Washington did a thing to save millions of people whom they could have saved.

We have seen how Ben Gurion failed in his attempt to involve Britain and the United States in his attempt to blackmail Germany.

With the trial over and Eichmann condemned, “the uneasiness” which everyone talked about remains. The anti-Semitic campaigns feared by *France-Soir* are taking steps and grow.

A boomerang? Perhaps.

Perhaps Tel Aviv needs a little wave of anti-Semitism from time to time to realise its objectives, if only to bring to Israel those millions of Jews who persist in preferring the comforts of western life to the rigours of Kibbutzim.

In any case, if the stirring of anti-Semitic feeling should trouble Israel and international Zionism, it is not the reasons adduced for the sentence that condemned Eichmann to death which will prevent them from assuming greater proportion, as they have been revived for us by M. Poliakov (*Le Procès de Jerusalem*, Paris, 1963) ('The Jerusalem Trial'). Assuredly not.

A strange fellow this M. Poliakov. An Israelite, born at St. Petersburg (Leningrad) in 1910, M. Léon Poliakov is directly descended from that generation of Russians chased from their homes by a Revolution which made Russia what we know it to be today and who, since 1920, have given Paris so many picturesque – and sometimes so encumbering – taxi drivers; people of all social levels., (But, to hear them talk, all of noble extraction!) Having arrived with the very first wave of refugees at the age of six, therefore too young to learn to drive, his parents sent him to a primary school in the 10th Arrondissement. He developed a taste for studies, went to the Lycée, then for several years to law school. His biographers tell us that this led him, not to the bar, as it does so many others, but... into journalism! And so one does not meet this 52-year-old man today at the wheel of a taxi in the streets of Paris, but at the Centre for Contemporary Jewish Documentation, with the title of historian. To him we owe already: *Le III^e Reich et les Juifs, Histoire de l'antisémitisme* ('The Third Reich and the Jews, History of Anti-Semitism'), and the celebrated *Bréviaire de la Haine* ('Breviary of Hatred'). This *Procès de Jerusalem* ('Jerusalem Trial') is the fourth feather in his historian's cap.

He is very much at ease in this role, and Mr. Ben Gurion, President of the Council of State of Israel, has overlooked nothing in making his task easier. Indeed, we know that on December 21st, 1962, Mr. Ben Gurion decided that the memoirs (2,700 pages) which Eichmann wrote during his period of detention in Israel between the trial which condemned him to death and his execution, were to be turned over to the State Archives of Israel instead of being given to his widow which, if not the rule, is at least customary usage in all the courts of the free world. This decision ensures that for a long time to come all the Poliakovs of the world will be able to say whatever comes into their heads about the Eichmann affair, without risk of being contradicted by the contrary version of the historical facts of the matter. It also ensures that the judgement itself can never be questioned on grounds of any documents other than those very carefully selected ones used by the prosecution. The real historians who followed the trial will, of course, some day be given consideration, but thanks to this procedure, only by a posterity whose grasp of history becomes less firm as time goes on. Meanwhile, to public opinion, the judgement of the Jerusalem Tribunal has all the force of revealed truth.

And what truth!

M. Poliakov does not, in the first place, give us the whole text of the judgement. Of the 243 arguments in evidence which it contains, more than half do not figure in his book. He does not tell us why this is so, but one can be sure that they are the most questionable ones. As for those which he does give, one or two examples will be enough to give the reader an idea of their worth.

First example: the one based on the function of the Einsatzgruppen (units protecting the rear of the German armies as they advanced into Russia). These units were created, the Nuremberg court said, in the middle of May 1941 in anticipation of the Russian campaign. In the *Bréiaire de la Haine*, M. Poliakov proves to us with brilliance, with documents and testimonies to support him, that these units could only have been created at that date. Today, no less brilliantly and with no fewer documents and testimonies to support him, he proves to us that they already existed on September 12th, 1939. M. Chaim Wiezmann, President of the Jewish Agency in 1939, who was then living in London and whose personal papers are collected at Rehowoth (Israel), decided it.[3] The Jerusalem Tribunal followed suit, and M. Poliakov too, of course. If, some day, Israel decides that Einsatzgruppen were created by Ramses II and that Hitler only returned to a very old practice, M. Poliakov will be ready to prove that it could not be otherwise, with documents and testimonies to support him; that goes without saying. Since 1945, the industry of document and testimony production has been exceedingly prosperous, and Israel challenges Russia for first place in the world.

Is another example needed? Take the document called "Gerstein" which has been referred to. In the *Bréiaire de la Haine*, M. Poliakov gave us a version which he said was authentic and, moreover, he had corrected it. The Tribunal of Jerusalem brought forth yet another version which is different from the two already known. The latter was written in a kind of pidgin language and does not agree in any respect with the other two, doubtless so that it could not be said that it had been rejected at Nuremberg as had been the case with the first one. The reader is strongly urged to read the two principal versions of this document, in the last chapter of *The Drama of the European Jews*. There he

will see of what prowess a Frenchman born in Russia is capable, who was driven to become a historian because he failed to become a taxi driver.

There is no end to the list of documents of this kind on which the Jerusalem Tribunal based its conviction, and M. Poliakov corrects his own contentions by first correcting the documents, whose origin is, furthermore, more than dubious. The court itself is not free from contradictions of this kind. Take exhibit No. 63, for example, which declares Eichmann guilty of having forced the German Jews to emigrate, and No. 155, of having prevented them from emigrating, in terms as scathing and disapproving in one as in the other. The cynical and cruel giants who, according to the philosophy professors of my generation, only gave one the choice between dying on the altar of Truth or the altar of Lies, with sincerity in the choice the only chance to escape the trial, were no more cynical and cruel than the Judges of Jerusalem.

We will have no more to say about this book and the judgement after this, which will be our conclusion:

1) Exhibit No. 79 says, among other things, “We will describe the activities against the Jews within the Reich and the European countries under German influence, exclusive of what took place in eastern Europe. In general, no extermination activity took place in those countries or in Germany...”

After the Declaration of August 19th, 1960, which was taken up in another connection by the Institut für Zeitgeschichte at Munich, here is one that authenticates in a masterly manner the thesis which I have maintained for so long on gas chambers in German concentration camps. Carelessness, no doubt.

2) Exhibit No. 161, after stating that the number of victims cannot be designated except by the term “millions,” which is that of the indictment, nevertheless declares that “it is beyond doubt that the number of victims was about 6 million.”

By counting the Jews who died in 1941, in No. 122; in the camps set up in March 1942, in No. 141; who were taken to camps in convoys of 3,000, No. 112; when No. 127 says 2,000, and No. 154 only 1,000, etc.... doubtless one could arrive at even more surprising results.

Eichmann’s Last Speech

In matters of justice, it is a rule: the last word always belongs to the accused. Here then is what Eichmann, condemned to death by hanging, declared to the Judges of Jerusalem on December 13th, 1961:

> **I have heard the severe sentence of the Court. My hope for justice has been disappointed. I cannot accept this decision.**
>
> **I know that punishment is demanded for the crimes committed against the Jews. The declarations made by the witnesses here in this Court have astounded me, as I was similarly stupefied to see myself considered responsible for the atrocities.**
>
> **I was unfortunate enough to have been mixed up in these horrors. But, these misdeeds were not of my own doing. It was not my desire to kill people. These mass murders are solely the consequence of the Führer’s policy.**
>
> **I tried to give up my job, to leave for the front so that I could fight honourably, but I was kept at obscure tasks.**
>
> **Let me emphasise once again:**
>
> **My fault lies in my obedience, my submission to my task and to the requirements of my war office to which I was committed under oath. Since the start of the war, the law of warfare alone prevailed. This submission was not easy, and anyone who has commanded and obeyed knows what can be required of a man.**
>
> **I pursued the Jews with neither enthusiasm nor pleasure. The government did that. As for the prosecution, only a government could make that decision, never I.**
>
> **I accuse those governing of having abused my obedience. At that time, obedience was required, just as it was later from the subalterns.**
>
> **Obedience was elevated to a virtue. On this subject, may I ask you to consider that I obeyed and not whom I obeyed. I repeat: the authorities, of which I was not a part, gave the orders; they**

imposed atrocious tasks upon me which, on their orders, were to result in victims.

But now, the subalterns are also victims. I am one of these victims. This cannot be lost sight of. It is said that I could have refused to obey and that I should have done so. This is a consideration after the fact. Under the circumstances of the moment, this was impossible. It could not have been any different for anyone.

I know from experience that the legend must be kept alive, as it was done after the war, that it was possible to resist orders.

A few men were able to go into hiding, but I was not among those who thought that this was conceivable.

It is a grave mistake to think that I belonged to the fanatic persecutors of the Jews.

Since the end of the war, it has outraged me to note that all the responsibility of my superiors and of the others has fallen on my shoulders. I have to all appearances done nothing which would allow me to be accused of fanaticism, and the responsibility for this crime of blood does not fall to me. This is where the witnesses have gone against the truth. The declarations and documents presented to the Court as a whole at first sight seem convincing, but are untrue.

I shall try, in the next few minutes, to clarify these errors. No one came to me warning me of my behaviour. Not even the witness Probst Gruber could support the opposite. He visited me and wanted only to obtain certain alleviations, without criticising my professional activity itself. He confirmed here, in the Court, that I did not refuse him, but that I explained to him that I would have to have the opinion of my superiors since I could not make the decision myself.

On this matter, we have Ministry Director Loesener who reported on Jewish questions to the Ministry of the Interior (Judenreferent). He is dead. In a recently published memoir, he indicates that he was aware of the atrocities and that he informed his superiors of them. It must, therefore, be admitted that everyone at the Ministry of the Interior knew of these methods. But no one stood in opposition to my superiors. Ministry Director Loesener closeted himself in silent opposition and served his Führer as a wise Judge in the Reich's Legal Administration. Herein appears in its true light the civic courage of an important personality.

In a report written in 1950, Loesener gave an appreciation of myself by which I would have been one of the main perpetrators of Jewish persecution. But nothing is found in these violent sentiments which would support these suppositions, nor any basis for these allegations. This also holds true for the other witnesses.

The Judge asked me if I wished to plead guilty, as had Hoess, the Auschwitz commander and the Governor General of Poland, Frank. Both had the same reason for acting as they did: Frank, responsible for the orders he had given, was afraid of being accused by his subordinates, while Hoess was the one who had actually carried out the mass executions.

My position is different.

I never had either the capability or the responsibility of someone who gave orders. I never had to deal with murder, as had Hoess. If I had received the order to perform these massacres, I would not have taken refuge behind false pretexts; I explained this during my interrogation: if I had found myself faced with an order which I could not carry out, I would have put a bullet through my head in order to resolve the conflict between my conscience and my duty.

The Court feels that my present attitude is dictated by the requirements of my case in this trial. There is a group of points which would seem to confirm this. The apparent contradictions result from the fact that I was not able to recall precisely all the details at the very beginning of the police interrogation. I lived through too many things that year.

I did not refuse to reply: the preliminary report of 3,500 pages shows this. It was my duty to assist in the explanation of the facts. Mistakes or errors occurred, but I have to rectify them. I cannot be reproached for such errors when a 16 to 20 year period is in question, and my spirit of cooperation must not be taken as trickery and lying.

My rule for living, which I was taught very early, was: the will and ambition to attain an ethic of honour.

After a certain period, Reasons of State prevented me from following this path. I had to choose outside this ethic and commit myself to another of the multiple paths of morality. I had to bend myself to the requirements of the reversal of all values by virtue of Reasons of State.

I undertook my own self-criticism, I accused my conscience, an area which is only the province of my Inner Self. Considering myself legally not guilty, I neglected totally to take into account this point of view in this examination.

I would now like to ask the Jewish people for their forgiveness, to confess the shame which overcomes me at the idea of the injustices committed with regard to them and the deeds undertaken against them. Nevertheless the basis for this judgement appears to me false. I am not

the barbarian I have been made to seem. I am the victim of an argumentation: I was seized in Buenos Aires, kept tied up on a bed for a full week, then given an injection in my arm, and taken to the Buenos Aires airport; from there I left Argentina by plane. It is completely obvious taking only this into account, that I was considered responsible for everything.

It all rests on the fact that a few socialist nations today, and others, spread calumnies about me. They wanted to place their guilt on me or humiliate me for reasons which escape me. A certain element of the press has been, regarding these incredible and false assertions, making suggestive propaganda for fifteen years.

This is the basis for this unjust condemnation.

This is the reason for my presence here.

I thank my defence lawyer who made himself responsible for my rights.

It is my deep conviction that I am paying for what others have done.

I must accept what fate has placed in store for me.

Obviously there is nothing remarkable about this statement of innocence and one risks little in saying that it probably will not go down in posterity.

Condemned to death in the last century by mistake, the innocent Lesurques declared: “I appeal to posterity.” Not everyone can be Lesurques.

Furthermore, Eichmann was only a little Lieutenant-Colonel, of little culture, just like thousands of others, and perhaps tens of thousands in the German army, just as there are hundreds of thousands in the armies of the world.

I think it will cause one to smile today to learn that one man, responsible for all that can be charged to National Socialism in matters of crimes against humanity, was a simple Lieutenant-Colonel. Nevertheless it is so. In this direction, Mr. W. Kempner, former police commissioner for Prussia and American prosecutor at one of the Nuremberg trials, went so far as to call his book on the subject not ‘Hitler and Accomplices,’ but *Eichmann and Accomplices*, which tends to show that it was not Eichmann who was an accomplice of Hitler, but the other way around!

What is tragic is that if one compares his explanation, or justification, of his attitude with that given by Prof. Balachowsky of the Pasteur Institute, a cultivated man (or at least he has no excuse for not being, covered with honours and all), one is obliged to agree that... it is not so bad after all. Between the Reasons of State to which the troubled conscience of the more or less untutored Lieutenant-Colonel referred itself, and the single anxiety to save his skin invoked by the Professor with the clear conscience, men of good sense – and even those who, like me, put Reason of Man before Reason of State – will not hesitate in their choice.

The reader will not be asked to compare this declaration, nor the charges formally made by the Israeli prosecutor, nor the legal and moral justifications of the decision rendered by the Tribunal; the contrast would be even more disheartening.

Spectators at the Trial

Notes

1. Editor's Note: Unfortunately Rassinier is wrong here. The American Council for Judaism is anti-Zionist but does not represent the majority of American Jews. He confuses A.C.J. with the more Establishment A.J.C. – American Jewish Committee.

2. Fumigation Chambers.

3. In his memoirs, *Le Chef du contre-espionage nazi parle* ('The head of Nazi counter-espionage speaks'), Paris, March 1957, Walter Schellenberg, who drafted the agreement between the O.K.W. and the S.D. on the subject of the creation of Einsatzgruppen, described in detail the scene when it was signed by Heydrich, head of the S.D., and the administrating officer Wagner, who had been designated by the O.K.W. for this formality, with the date "end of April 1941," (pp. 229 – 230). But exhibit No. 69 of the Jerusalem trial makes mention of misdeeds of the Einsatzgruppen in Poland in 1939, supported by the report of a "conference of heads of bureaux and Einsatzgruppen" presided over by Heydrich on September 27th, 1939 (attached Document T. 164). It is true that argument No. 120 speaks of "massacres by Einsatzgruppen, created, it is said, on the eve of Hitler's offensive against Russia." And if I should ask who the rascal is that manufactured the false document, or the idiot who edited the sentence, what will be the answer?

Chapter VII of Paul Rassinier, *The Real Eichmann Trial or The Incorrigible Victors*, Steppingstones Publications, Silver Spring, MD (1979). First published as *Le Véritable Procès Eichmann ou les Vainqueurs incorrigibles*, Les Sept Couleurs, Paris (1962).

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